

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
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)	
Update to Parts 2 and 25 Concerning)	IB Docket No. 16-408
Non-Geostationary, Fixed-Satellite)	
Service Systems and Related Matters)	
)	

**COMMENTS OF SPACE NORWAY AS
ON THE FURTHER NOTICE OF PROPOSED RULEMAKING**

1. INTRODUCTION

Space Norway AS (“Space Norway”) respectfully submits these comments in response to the Further Notice of Proposed Rulemaking (“FNPRM”)¹ concerning the current requirement of the Federal Communications Commission (the “FCC” or the “Commission”) that non-geostationary satellite orbit (“NGSO”), fixed-satellite service (“FSS”) systems provide continuous coverage of the fifty U.S. states, Puerto Rico, and the U.S. Virgin Islands (the “Domestic Coverage Requirement”).² The Commission has proposed the removal of the Domestic Coverage Requirement for NGSO FSS systems operating in all permitted spectrum bands.

Separately, on November 3, 2017, the Commission granted Space Norway’s Petition for Declaratory Ruling, authorizing Space Norway’s highly elliptical orbit (“HEO”), NGSO satellite system, the Arctic Satellite Broadband Mission (the “ASBM”), to access the U.S. market (the “Space Norway Order”). The Space Norway Order granted Space Norway’s request for a waiver of the Domestic Coverage Requirement.

Space Norway supports the Commission’s proposal to remove the Domestic Coverage Requirement for the reasons stated below.

¹ Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters, 82 Fed. Reg. 52,869 (Nov. 15, 2017).

² 47 CFR §§ 25.145(c)(2), 25.146(i)(1), 25.217(b)(1).

2. DISCUSSION

Sections 25.145(c)(2), 25.146(i)(1), and 25.217(b)(1) of the Commission rules require NGSO FSS systems to provide continuous coverage of the fifty U.S. states, Puerto Rico, and the U.S. Virgin Islands.³ The Domestic Coverage Requirement originated from a similar requirement imposed on NGSO Mobile-Satellite Service systems.⁴

Space Norway does not take a position on whether the Domestic Coverage Requirement may be appropriate for some NGSO systems, and in particular for those proposing to operate globally. The Domestic Coverage Requirement is not appropriate, however, for any system specifically designed, and intending to operate solely, as a regional system. For example, the ASBM will provide innovative broadband communications solutions with pan-Arctic regional coverage through a cost-effective and technologically proven satellite constellation comprised of two satellites in HEO, whose service area will be exclusively in the Arctic region. The ASBM's less complex design and regional focus – as compared to proposed global NGSO constellations of hundreds or thousands of satellites – make the ASBM the perfect candidate to help bridge the gap in broadband technology and accessibility that currently exists in the Arctic region, including Alaska.

Without a waiver or the removal of the Domestic Coverage Requirement altogether, the ASBM would not be able to offer broadband and related communications services in Alaska, because the ASBM is not designed to serve, and cannot possibly serve, the fifty U.S. states, Puerto Rico, and the U.S. Virgin Islands. The ASBM is, instead, designed to serve a single U.S. state, Alaska, along with other areas of the Arctic, including Arctic Ocean areas, where the United States has strong interests in terms of national security, search and rescue, and environmental protection and research.

³ *Id.*

⁴ 47 CFR § 25.143(b)(2)(iii).

It would not serve the public interest for the Commission to use the very features that make systems such as the ASBM highly desirable – its simple and specialized focus on a single region – as a reason to deny U.S. market access. The Commission should plainly be encouraging – not discouraging through the Domestic Coverage Requirement – innovative satellite system designs that promise to meet currently unmet connectivity needs in targeted regions like Alaska and the Arctic Ocean. Such encouragement of system design innovation, in the context of meeting specific, identified needs, represents a key advantage of removing the Domestic Coverage Requirement.⁵

3. CONCLUSION

Space Norway supports the Commission’s view that the most efficient way to encourage widespread service offerings by NGSO FSS systems, especially in remote and underserved areas of the United States, such as Alaska, is to allow both general and specialized coverage systems. Space Norway therefore supports the Commission’s proposal to remove the Domestic Coverage Requirement, at least for specialized coverage systems such as the ASBM.

Respectfully submitted,

SPACE NORWAY AS

/s/

By: _____

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⁵ See Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters, 82 Fed. Reg. 52,869 (Nov. 15, 2017).